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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,131	03/27/2001	Allen Kai-Lang Yu	10007602-1	8648

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
2175	6

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,131

Applicant(s)

YU, ALLEN KAI-LANG

Examiner

Thuy Pardo

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's Amendment filed on November 07, 2003 in response to Examiner's Office Action has been reviewed.
2. Claims 1-14 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Biffar in view of Rose et al. (Hereinafter "Rose") US Patent No. 5,724,567.

As to claim 1, Biffar teaches a method for receiving qualitative ratings of an overall result in response to a present user's present search request are prioritized according to an algorithm which assigns greater weight to interest indications by relatively similar users making relatively similar search requests than to interest indications by relatively dissimilar users and than to interest indications making relatively dissimilar search requests [see the abstract; fig. 8; col. 11, lines 35-45].

However, Biffar does not explicitly teach that search items returned are prioritized. Rose teaches that search items returned are prioritized [ranking each available item and indicating the degree of interest in each item of information, ab; fig. 7; col. 4. lines 40-47].

Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to have modified the communication service system of Biffar for receiving qualitative ratings of an overall result according a search algorithm [ab; col. 11, lines 35-45] provided thereof would have incorporated the teachings of Rose especially the methodology of providing a rank of a search result to the user; the motivation being to expand and enhance the versatility of Biffar's system by determining to the items of information that are believed to be important to a user [Rose, col. 2, lines 37-40].

As to claim 2, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches

receiving a search request from a user [col. 7, lines 31-33];

assigning said user to a community [ab; col. 7, lines 49-61; col. 2, lines 56 to col. 3, lines 14];

assigning said search request to a search query [fig. 3-4];

submitting said query so as to yield a set of response items [ab; col. 7, lines 62 to col. 8, lines 7]; and

prioritizing said response items as a function of prior search requests by said community [col. 11, lines 41-45].

As to claim 3, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches tracking indications of interest by said user in individual ones of said response items and storing the results of said tracking on a per user and/or per-community basis [col. 11, lines 53 to col. 12, lines 10].

As to claim 4, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches using said results in prioritizing items collected in response to subsequent search requests by other users assigned to said community [col. 11, lines 54-62].

As to claim 5, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches that all else being equal, interest indications associated with a community are given greater weight than other interest indications by the parent of said community [col. 4, lines 28-67].

As to claim 6, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches that said user is assigned to a community in part as a function of said indications of interest [col. 5, lines 4-9].

As to claim 7, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches that said user is assigned to a community as a function of a selection of said community by said user [col. 3, lines 25-35].

As to claim 8, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches said user is assigned to a community as a function of a profile of said user existing before said search request is made [col. 4, lines 28-65].

As to claim 10, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches a trader for tracking indications of interest by a user in search items collected in response to said search request from said user, said prioritizer using said indications of interest to determine said function for future queries [col. 7, lines 54-61].

As to claim 11, Biffar and Rose teach the invention substantially as claimed. Biffar further teaches said community assigner assigns said user to a community for said future search requests at least in part as a function of said indications of interest [col. 8, lines 35-56].

As to claim 12, Biffar and Rose teach the invention substantially as claimed, comprising: a key field identifying hit counts, a second field indicating a values for respective hit counts, a query context field indicating query contexts for respective hit counts, and a user and/or a community field indicating respective users and/or communities associated with said hit counts [see fig. 5].

As to claims 9, 13-14, all limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

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3. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to them on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

5. Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please
label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to be 'Thuy Pardo', with a long horizontal line extending to the right.

Thuy Pardo
January 14, 2004